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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Approximately 69,370 Bitcoin (BTC),
 Bitcoin Gold (BTG), Bitcoin SV (BSV), and
 Bitcoin Cash (BCH) seized from
 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hb
 hx,

Defendant.

BATTLE BORN INVESTMENTS
 COMPANY, LLC.

Claimant.

Case No. 20-7811-RS

**VERIFIED CLAIM AND STATEMENT
 OF INTEREST BY BATTLE BORN
 INVESTMENTS COMPANY, LLC
 FILED UNDER SEAL**

Judge: Hon. Richard Seeborg

Courtroom: 3

Case Filed: November 5, 2020

FAC Filed: November 20, 2020

Trial Date: TBD

1 VERIFIED CLAIM AND STATEMENT OF INTEREST

2 **NOTICE OF CLAIM**

3 Pursuant to 18 USC, sections 983(a)(4)(A) and Rules C(6) and G(5) of the Federal
4 Supplemental Rules for Admiralty or Maritime Claims or Forfeiture Actions, claimant Battle
5 Born Investments Company, LLC (“Claimant Battle Born” or “Claimant”) hereby timely claims
6 an interest in all or a portion of the defendant properties that are the subject of this forfeiture
7 action brought by the United States of America (the “Plaintiff”).

8 **CLAIM**

9 1. Claimant Battle Born is a Nevada Limited Liability Company, located at 10170
10 W Tropicana Ave, Suite 156-290, Las Vegas, NV 89148.

11 2. On or about July 31, 2017, upon information and belief, an individual, understood
12 to be himself, or to be related to, that person designated in the Plaintiff’s Complaint as Individual
13 X in the instant matter (Comp., paragraphs 23 - 25), filed a Chapter 7 Bankruptcy case in the
14 United States Bankruptcy Court, District of Nevada (the “Bankruptcy Court”), pending as Case
15 Number; 17-14166-BTB.

16 3. On or about March 27, 2018, Claimant Battle Born entered into an agreement to
17 purchase from the duly appointed Chapter 7 bankruptcy trustee (the “Trustee”), all assets of the
18 bankruptcy estate, which assets included all disclosed and undisclosed property interests of the
19 bankruptcy debtor, who, upon information and belief, is, or is associated with, Individual X in
20 the instant matter, wherever such interests were located (the “Bankruptcy Claims”).

21 4. On or about May 14, 2018 Claimant Battle Born’s purchase of the Bankruptcy
22 Claims from the Trustee was approved by the Honorable Bruce Beesley of the United States
23 Bankruptcy Court for the District of Nevada.

24 5. On or about March 15, 2019, the Bankruptcy Court issued a Writ of Assistance
25 directing the United States Marshal to obtain all electronic devices belonging to the individual
26 believed to be, or associated with, Individual X in the instant matter. Pursuant thereto, the United
27 States Marshal retrieved certain electronic devices and provided them to Claimant, as directed by
28 the Writ of Assistance.

1 6. Upon a forensic review of the electronic devices seized from the person believed
2 to be Individual X, or an associated party, evidence was discovered that the Bitcoin belonged to
3 what we assert to be Individual X, or a party associated with Individual X, and was therefore part
4 of the Bankruptcy Claims owned by Claimant Battle Born.

5 7. As such, the Bankruptcy Claims purchased on May 14, 2018 are, upon
6 information and belief, understood to be inclusive of the Defendant Property subject to the
7 instant November 20, 2020 Civil Asset Forfeiture action.

8 8. Claimant Battle Born claims an interest in Defendant Property, approximately
9 69,370 BTC Bitcoin (“BTC”), Bitcoin Gold (“BTG”), Bitcoin SV (“BSV”), Bitcoin Cash
10 (“BCH”), and future Bitcoin hard forks (collectively the “Bitcoin”) seized from Individual X’s
11 wallet number 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx (the “1HQ3 wallet”) and
12 currently in the possession of the Plaintiff.

13 9. The Defendant Property has been since May 14, 2018 and is still currently owned
14 by Claimant Battle Born.

15 10. The Defendant Property was purchased for valuable consideration pursuant to the
16 United States Bankruptcy Code, effective on or about May 14, 2018, and further, such purchase
17 was approved by the Bankruptcy Court (the “Bankruptcy Court Order”) as final disposition of
18 the Defendant Property and transfer of ownership of such to Claimant Battle Born.

19 11. Regardless of the history of the Defendant Property prior to its acquisition by
20 Individual X, or a person associated with Individual X, the May 14, 2018 purchase of and
21 approval by the Bankruptcy Court irrevocably transferred to Claimant Battle Born all right,
22 interest and title to the Defendant Property, and such judgment is a final Disposition of
23 Defendant Property.

24 12. As such, there exists a question as to this Court’s jurisdiction over the Defendant
25 Property, insofar as the instant First Amended Complaint for Civil Asset Forfeiture may, if
26 granted, contravene the Bankruptcy Court Order granting the sale of the Bankruptcy Claims,
27 which include the Defendant Property, to Claimant Battle Born.

1 13. Claimant is further informed and believes that the Plaintiff took possession of the
2 Defendant Property by consent agreement from Individual X on or about November 3, 2020,
3 more than two years subsequent to Claimant's May 14, 2018 purchase of the Defendant Property
4 by way of the Bankruptcy Court Order conveying right, title and ownership to the Defendant
5 Property to Claimant Battle Born.

6 14. Claimant asserts that it currently owns all right, title and interest in and to the
7 Defendant Property that were formerly held in accounts owned by Individual X, but Claimant
8 requires additional information, that is currently not publicly available, to determine if the
9 Bankruptcy Court Petitioner is, in fact, Individual X himself, or an associated party, in the instant
10 matter.

11 15. As a result of the above, because asset sales in Bankruptcy, by their nature, are
12 intended to be definitive, final and absolute, Claimant Battle Born asserts and alleges that its
13 right and title to the Defendant Property is superior to that of Silk Road, Individual X and/or any
14 other claimants in this action.

15 16. Claimant Battle Born claims an interest in the Defendant Property as an innocent
16 "owner," within the meaning of 18 USC section 983(d)(6) and 28 Code of Federal Regulations
17 section 9.2, pursuant to 18 USC section 983(d)(3), as Claimant Battle Born can show it was a
18 bona fide third party purchaser of the Defendant Property pursuant to the United States
19 Bankruptcy Code, that it did not know of any illegal conduct, that it was without cause to know
20 that the Defendant Property was subject to forfeiture, and it can prove ownership to the
21 Defendant Property by way of the Bankruptcy Court Order.

22 17. Claimant Battle Born is also a "victim" within the meaning of 28 CFR § 9.2.

23 18. Claimant Battle Born contests forfeiture of the Defendant Property and prays that
24 this Court enjoin the liquidation of the Defendant Property in this action prior to the full
25 adjudication of Claimant Battle Born's right, title and interest in and to the Defendant Property,
26 and seeks the return of the Defendant Property (and any other portion of Defendant property that
27 belongs to Claimant for which insufficient information is available insofar as no Notice of
28

1 Forfeiture has been provided to Claimant) to Claimant, the rightful owner of such Property by
2 way of the Order of the Bankruptcy Court of May 14, 2018.

3
4 Dated: March 16, 2021

FOX ROTHSCHILD LLP

5 By: /s/ Jaemin Chang

6 JAEMIN CHANG

JEFF NICHOLAS (Pro Hac Vice To Be Filed)

7
8 Dated: March 16, 2021

THE LAW OFFICES OF GUY A. LEWIS

9 By: /s/ Guy A. Lewis

10 GUY A. LEWIS

(Pro Hac Vice To Be Filed)

VERIFICATION

I, the undersigned, certify and declare that I have read the foregoing Verified Notice of Claim and know its contents. The matters stated in the foregoing document are true of my own knowledge and belief except as to those matters explicitly stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. I understand that a false statement or claim may subject a person to prosecution.

Dated: March 16, 2021

BATTLE BORN INVESTMENTS COMPANY, LLC

By: _____


Jay Bloom, Manager
SJC VENTURES HOLDING LLC